IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

THURSDAY, THE SEVENTEENTH DAY OF FEBRUARY
TWO THOUSAND AND FIVE

PRESENT

THE HON'BLE MR JUSTICE K.C. BHANU

WRIT PETITION No. 2721 of 2005

Between:

Ch.V.Lakshmi Parameswara Rao, W/o.Dr.Parameswara Rao,
working in Visakhapatnam Port Trust, R/o.Visakhapatnam.

..... PETITIONER

AND

1. The Government of India, rep. by its Secretary, Ministry of

Shipping (Ports Wing), Sansad Marg-1, New Delhi.
2 The Visakhapatnam Port Trust, rep.by its Chairman,

Visakhapatnam.

.....RESPONDENTS

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the affidavit filed herein the High Court will be pleased to issue an appropriate writ, order or direction more particularly one in the nature of writ of Mandamus declaring the action of the 1st respondent in not finalizing the appeals filed by the petitioner on 9-2-2002 and 15-4-2002 respectively against the orders of punishment issued by the Deputy Chairman Visakhapatnam port Trust, even after a long period of 3 consecutive years is illegal, arbitrary, erroneous, high handed and against settled procedure and principles and consequently direct the respondents to finalise the 3 separate appeals filed by the petitioner in the year 2002.

Counsel for the Petitioner:MR.Y.V.RAVI PRASAD, Advocate

Counsel for the Respondent No.1: MR. S.S.VARMA, SC for R1

Counsel for the Respondent No.2: MR. A.KRISHNAM RAJU, SC for VPT

The Court at the admission stage made the following O R D E R:

This writ petition is filed seeking a direction to the respondents to finalise the appeals filed by the petitioner on 09.02.2002 and 15.04.2002 against the order of punishment issued by the Deputy Chairman Visakhapatnam Port Trust, Visakhapatnam (VPT).

Heard the learned counsel for the petitioner and Mr. S.S.Varma, learned counsel for the first respondent and also Mr. A.Krishnam Raju, learned standing counsel appearing for the second respondent.

The petitioner was imposed with three separate punishments by issuing three separate proceedings, which are as follows:

1. The Deputy Chairman (VPT) through proceedings dated 15.12.2001 imposed the penalty of reduction of pay of the petitioner to the minimum basic pay of Rs.8,600/- in the scale of pay of Rs.8600 – 250 – 14600 for a period of three years with cumulative effect.

2. Through proceedings No.C2/PC/CHVLPR/2001, dated 15.12.2001, the Deputy Chairman (VPT) imposed a penalty of recovery of HRA of Rs.23,812.25 ps.

3. The proceedings dated 19.03.2002 was issued imposing the penalty of withholding two annual increments for a period of two years without cumulative effect.

Against the above proceedings, the petitioner preferred two separate appeals on 09.02.2002 and 15.04.2002 respectively before the first respondent. As the said appeals were not disposed of, the petitioner filed the present writ petition.

It is stated by the learned counsel for the petitioner that the appeals are pending consideration before the first respondent.

Hence, the writ petition is disposed of directing the first respondent to dispose of the appeals filed by the petitioner within a period of three months from the date of receipt of a copy of this order. No costs.

17.02.2005

Note:CC in three days

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To

1. The Secretary, Government of India, Ministry of Shipping (Ports Wing), Sansad Marg-1, New Delhi.
2 The Chairman, Visakhapatnam Port Trust, Visakhapatnam.
3. Two CD copies.